

2.00

THE HERRIN CONSPIRACY

California
Regional
Facility



5

096

172

Herrin's heinous crime is a challenge to America, the Mother of us all—of the newcomer to her household no less than of the native born. It is a challenge that must be met now. It is a challenge that must be met standing.—Boston (Mass.) *Transcript*, June 28, 1922.

An even more vital reason for prompt action is seen in the temper of the men, which carries with it a threat that the atrocities committed in Illinois this week will be repeated in other mining fields.—St. Joseph (Mo.) *Press*, June 24, 1922.

Until this coal mine butchery is legally avenged Americans can no longer boast that in the United States the Constitution is supreme.—*The Sun*, New York, July 6, 1922.

CTE-due
H-4

Issued by

The National Coal Association

WASHINGTON, D. C.

(1922)



THE HERRIN CONSPIRACY

A comprehensive story of the slaughter
as presented by investigators
and eye-witnesses

IN a wooded grove midway between the mining towns of Herrin and Marion in Williamson County, Ill., a crime was committed on the morning of Thursday, June 22, that stirred the indignation and aroused the horror of America as had not been done since the stories of war atrocities committed by the Huns ceased coming across the ocean.

Nearly fifty men—the exact number is uncertain—who shortly before had been taken out under a flag of truce from the strip mine of the Southern Illinois Coal Company a few miles away and who had been promised that they would be furnished safe escort to the railroad station whence they could entrain for their homes, were lined up in front of a barbed wire fence, and hemmed in by union miners in military formation.

Scarcely before a plea of mercy could be made, shotguns, rifles and revolvers in the hands of 500 men arrayed in a semi-circle about the miserable group, poured a storm of lead into the bodies of the captives. Many fell at the first volley. Some got through the fence only to be shot down in flight. Others escaped the fusillade to fall victims later to a savage man hunt that harried the fugitives for hours through the surrounding countryside. Some of the dead were mutilated, the dying were kicked and beaten, the captured were tortured and then slain.

When the ghastly work was over, nineteen of those who were working in the mine were dead, several died later of the

34 who were wounded and a number are still unaccounted for. Such was the outrage committed in a union district upon men who were merely exercising the universal law of the right to labor and who had been employed by William J. Lester, president of the coal company, to operate the strip mine from which the members of the United Mine Workers of America had walked out.

An Attack on Government

This organized murder of American citizens was the result of the determination of a branch of the United Mine Workers of America to maintain as an absolute stronghold the supremacy of the Miners' Union in Williamson County over and above the law of the State and the law of the Nation.

It was anarchy; it was the placing of the aim of the union as the supreme law of Williamson County. It was a vicious attack upon the fundamental principles upon which our Government was founded. The right of any American to do his work, a basic principle of our Constitution which guarantees liberty and protection, is an issue far above any question between the United Mine Workers and operators, and it concerns not only the coal miners and coal operators, but every man and woman in this country. It concerns every industry, every home.

What does this uprising mean? It is the concern of every citizen of the land. Every American must view this crime with the utmost concern, for the issue involves the very foundations of our Government. What happened in Williamson County may happen in almost any community in the country, if every effort is not put forth to bring the assassins to justice. Indeed, it was the boast

of the organized band who committed this murder that in Williamson County, at least, America would be shown that the law of the union reigned supreme.

These murders grew out of what has every appearance—from the bare facts collected—of a well-organized conspiracy to stop the operation of the strip mine. The investigation indicates that the conspiracy was developed over a period of four or five days during which the sentiment of the members of the mine workers' union in Williamson County was intensively developed against the strip mine workers. Plans for the attack were carefully laid. Then the assault began. This assault was interrupted by a truce arranged in accordance with the wishes of the officials of the United Mine Workers of America, and the County officials acquiesced, as did the owner of the mine who agreed that no attempt would be made to reopen the mine during the strike.

The facts relating to the whole affair have been assembled here in order to give a picture of the situation in Williamson County and a comprehensive story of what happened.

A Union Stronghold

Williamson County, Illinois, which has a population of 61,038, is in one of the most strongly unionized centers of America. Marion, the county seat, has a population of 9,582, and Herrin, a population of 10,986. It is conservatively estimated that 85 per cent of the residents of the County are miners or connected with them by family ties or otherwise, and reflecting unionized labor sentiment. All business conducted in the County is dependent to a vital degree upon the patronage of the mining element. The mining vote elects or defeats candidates for public office.

Many of the public officials holding elective office are miners, have been miners, or are in strong sympathy with union labor whose strength is such that, without question, it is its vote that elects or defeats any candidate for local or county office.

The most outstanding local figure in the events leading up to the massacre, is Sheriff Melvin Thaxton, who persistently refused to swear his deputies or to call for the Illinois National Guard, as he was urged to do repeatedly by Col. S. N. Hunter, representing Adjutant General Carlo Black of Illinois, for three days before the surrender and butchery of the strip miners. Col. Hunter had arrived in Marion on June 18 to keep an eye on the situation. The Sheriff is an examiner, and was elected by the mining vote, and is now a candidate for county treasurer.

There is ample testimony that Sheriff Thaxton is physically not a coward. In times past he has been cool, courageous and vigilant in supporting the law. Single-handed he stopped thirteen prisoners in a jail-breaking attempt two years ago. He has to his credit successful intervention in a number of attempted lynchings.

The Judge and the Mob

County Judge Hartwell draws a picture of the mob which shows its caliber when met by a determined spirit. A crowd went to the Judge's home. They demanded that he deliver over to them his collection of firearms. He dared the young fellows to come and get them, at the same time directing his wife to load as he fired. The mob faded away.

Prominent also in the three days preceding the attack on the mine was State Senator William J. Sneed, president of

the Sub-District of the United Mine Workers of America—a resident of Herrin. He appears to be the leading politician of the County, insofar as the labor vote is concerned. The labor vote, which in a previous election had been led by Sneed in the interests of another political faction, was reversed under Sneed's control and support thrown to Len Small, successful candidate for Governor.

The State's Attorney of Williamson County is Delos L. Duty, whose family has been slightly identified with union miner interests. Duty, who was elected by miners' votes, is on record as expressing very serious doubt of his ability to convict mob conspirators, leaders and members of the mob. "To get a jury not imbued with the ideas of the labor unions will be impossible, I believe," he said, and added, "the killing was un-human beyond words."

Brundage Infers Conspiracy

Edward J. Brundage, Attorney General of Illinois, views the Herrin massacre as "murder in cold blood after the strip miners had surrendered." That the Attorney General believes a conspiracy existed is the inference to be drawn from his statement that "the riot was not spontaneous; the mob gathered from several counties at a central spot."

William M. McCown of Marion, the Coroner of Williamson County, was a union miner and is admittedly a union sympathizer.

The principal business of Williamson County is digging coal from deep mines, of which there are thirty-two. There are also four strip mines where huge shovels scrape the earth from thick veins of coal which run near the surface. Other shovels then lift this coal into cars. It

was against the strip mine, owned by the Southern Illinois Coal Company, of which William J. Lester is president, that members of the United Mine Workers of America directed an attack. As an operator Mr. Lester played a lone hand, and was not a member of any coal operators' association.

Strip Shovels Continue Work

When the deep mines were closed by the U. M. W. of A. strike April 1, last, the stripping shovel at the Lester mine did not cease operations. The stripping shovel was kept at work, meantime, and no objection was made by the strikers as long as no attempt to mine coal was made. Men manning this shovel, or rather the crews operating it, were members of the Steam Shovel Men's Union, an organization not affiliated with the American Federation of Labor.

About June 10 Lester made preparation actually to dig and load coal and additional men, some of whom were rated as track layers and others as guards, were put on the property. This development was instantly resented by the union miners, and the question arose as to the status of the men employed at the strip mine. There was also the openly voiced feeling of resentment that armed guards were on duty at these strip mines.

As early as June 13, it became manifest that a plot against the mine was brewing. Robert Tracy, of Chicago, a locomotive engineer, reported to the mine for duty, and in examining the engine firebox found ten sticks of dynamite and two cans of powder therein. Two days later, says Tracy, picketing of the mine began.

The Sheriff and State's Attorney and U. M. W. of A. officials protested to Mr.

Lester and his superintendent, C. K. McDowell, against the employment of these armed guards; said that they were trespassing on public property and holding up traffic. The strip mine people were told that they were courting destruction, if they continued to dig coal. There is on record the statement that McDowell declared that if any guards were outside the mine boundary they were disobeying his instructions. It was also said by some who conferred with him that he promised to disarm the guards, but this is not verified.

There was talk of boycotting stores which were supplying the men with provisions, and the union miners also were sent to watch railroad stations where additional workmen for the strip mine might arrive. Col. Hunter notes that two of these workers, detraining at Marion, were intercepted by union miners and ordered away, and did leave.

The Telegram from Lewis

There was discussion among the strikers as to the status of the strip mine workers. On June 18, Senator Sneed wired John L. Lewis, International President of the U. M. W. of A., asking for an official ruling on the status of the strip mine workers. Sneed received the following reply:

Indianapolis, Ind.

June 19, 1922.

William J. Sneed,
Pres. Sub-District 10
District 12, U. M. W. of A.

Your wire of eighteenth, Steam Shovel Men's Union was suspended from affiliation with American Federation of Labor some years ago. It was also ordered suspended from the mining department of the American Federation of Labor at the

Atlantic City convention. We now find that this outlaw organization is permitting its members to act as strike breakers at numerous strip pits in Ohio. This organization is furnishing steam shovel engineers to work under armed guards with strike breakers. It is not true that any form of agreement exists by and between this organization and the mining department or any other branch of the American Federation of Labor permitting them to work under such circumstances. We have, through representatives, officially taken this question up with the officers of the Steam Shovel Men's Union and have failed to secure any satisfaction. *Representatives of our organization are justified in treating this crowd as an outlaw organization and in viewing its members in the same light as they do any other common strike breakers.*

(Signed) JOHN L. LEWIS.

Published in Local Press

On Tuesday, June 20, this telegram was printed in the *Marion Daily Republican* as that paper's leading news article. It was given similar treatment the same day in the *Herrin Journal*. There is every reason to believe that the contents of this telegram became known to practically all of the union miners and their sympathizers over the whole of the coal field on Tuesday and Wednesday.

The first mass meeting that the miners held after the receipt of the telegram to discuss a program of action against the strip mine workers, it is related by Col. Hunter, was held early Tuesday afternoon, June 20. He was informed that the miners were in session at the Sunnyside Mine. Col. Hunter avers that he went to the office of State Senator Sneed and

told the latter of the meeting, whereupon Sneed replied:

"I know about it. There is no cause for alarm."

Col. Hunter says that a little later he told Sheriff Thaxton of this miners' mass meeting and asked the Sheriff to send a deputy, who resided in Herrin, to the meeting and ascertain what was going on. The Sheriff promised to do this, Col. Hunter says. There seems to exist a strong probability that some definite action against operations at the strip mine was agreed upon at this Tuesday mass meeting.

The next day another meeting took place. Of what was done at this meeting and of the effect actually had on the minds of the miners and their friends, the *Marion Daily Republican* of June 22, said:

Meeting in Cemetery

"An indignation meeting was held in the cemetery in Herrin on Wednesday morning, June 21, at which time the feeling was running high, and the telegram of John L. Lewis calling these shovel men common strike breakers, was read. Soon afterwards a mob raided three hardware stores in Herrin, obtaining a few guns and rifles and 5,000 rounds of ammunition of all kinds."

Walter M. Sims, editor of the *Christopher Progress*, published in a mining town fourteen miles from Herrin, wrote in his publication:

"The trouble (the massacre) followed after an indignation meeting was held just outside of Herrin on a road to the mine Wednesday morning following the publication of a telegram from John L. Lewis, president of the United Mine Workers, which stated that the workmen at the strip mine who are members of the

Shovel Men's Union were 'common strike breakers.' ”

Writing from Herrin, Thoreau Cronyn said in the *New York Herald* of July 12:

“A veteran of Williamson County to whom the correspondent showed the copy of this (Lewis') telegram, pushed his spectacles up on his forehead after reading it and said:

“‘Everybody down here knows how the union miners felt about this and how certain words inflame them. I should not say that the word outlaw riled them so much, but when Lewis officially told them that those fellows out at the Lester mine were to be treated like any other strike breakers, I should say that it was about the same thing as saying: ‘Hike out there to the mine and clean ’em out.’ ”

Prominent business men of Marion and Herrin say that when they heard the men on the streets and in business places talking excitedly about the message from Lewis that they felt certain a violent outbreak was but hours distant.

Out of these meetings meantime the conspiracy to stop the operation of the mine had been developed. The initial move to invest the strip mine has all the ear-marks of an organized effort and it resulted in the first open act of hostility.

The First Hostile Act

On Wednesday morning, June 21, at eight o'clock, say the union miners entrusted with keeping any more men from reaching the strip mine, additional workmen were unloaded from the Chicago train at Carbondale, Illinois, about fourteen miles from the mine. These men were put into a mine truck which was followed by a mine automobile. There were eleven men in the two machines. At a

point three miles east of Carbondale, men in a strange automobile preceding the truck fired shots into the air, as if by pre-arranged signal. Immediately, shot gun firing was directed from underbrush along the roadside.

Some of the eleven strip mine workers were wounded seriously and others fled, followed by volleys of shot gun firing. "Mark" Delaney, who was in charge of the strip mine party, made his way back to Carbondale and telephoned to Supt. McDowell at the mine, relating how these two automobile loads of men had been fired on and stating that some of them had been wounded and taken to the Carbondale hospital.

Events Known to Officials

All these events had not escaped the ears and eyes of state, city and county officials. Col. Hunter, after visiting the mine, talking to the Sheriff, State's Attorney, and other city and county officials in Marion and Herrin had concluded as early as Monday, June 19th: that "the local officers were in sympathy with the belligerent miners, but had agreed to maintain order." He stated further, however, that he had no confidence in the Sheriff's avowed intention or his ability to cope with the situation and protect the men. He made this report by telephone shortly before noon on Monday to the Adjutant-General.

Hunter told the Adjutant-General that the Sheriff had promised to protect property and life at the mines. The Colonel advised the Adjutant-General to have two companies of the Illinois National Guard, one at Salem and one at Cairo, notified to be in readiness to entrain for Marion on an hour's notice. These two companies could have been in Marion within four hours.

The Sheriff's Inaction

The Adjutant-General told Col. Hunter at this time to "lay down" (bear down) on the Sheriff and have him do his full duty in the way of securing an extra force of deputies. That afternoon the Colonel asked the Sheriff what he was doing to get more deputies and also informed him that the two companies of troops were ready to respond to any request the Sheriff would make. The Sheriff said that he felt his regular force of deputies was sufficient for the present, and that for Col. Hunter to tell the Adjutant-General, "Troops would not be needed to put down trouble at the mines."

Later in the evening Col. Hunter reported to the Adjutant-General that the Sheriff had not sworn in more deputies and did not anticipate the use of troops. Col. Hunter got after the Sheriff again on Tuesday morning in regard to securing additional deputies. The Sheriff replied that the wild talk was dying down, and Col. Hunter asked him if this was not a result of the wide-spread rumor that two regiments of troops were headed for Marion. The Colonel declared that this report was out and did have a noticeably quieting effect on the streets until night-fall when there was a resurge of excitement, and anger attained new heights.

The Colonel talked to miners on the street, found they were at the breaking point and went again to consult with the Sheriff. He reports that he "demanded of the Sheriff that he swear in a large force of deputies, including business men" and was informed by the Sheriff that he "had the situation well in hand," to which Col. Hunter replied:

"Swear in deputies or ask for troops."

Wednesday morning, the day before the massacre, found events moving swiftly

toward inevitable disaster. State Senator Sneed, who had gone to Springfield on official business on Tuesday evening, was not available to advise with the Sheriff the next morning. When Col. Hunter stepped out on the street early on June 21 and found the whole countryside was literally boiling with excitement he immediately went to the Sheriff's office to see if that official had not finally been stirred into action, since it was absolutely clear that a mob of unprecedented size was being gathered to wreak vengeance.

Calling of Troops Urged

Col. Hunter found the Sheriff quite placid, with no new deputies and uttering his stereotyped expression: "I have the situation well in hand." Col. Hunter grew emphatic in urging the Sheriff to make a request for troops. This was done in the presence of State's Attorney Duty. The Sheriff said that he had no idea of calling for troops and Duty offered the Sheriff the advice that, "If I were a Sheriff I would not call for troops under any circumstances." To Col. Hunter, Duty said that he had full confidence in Sheriff Thaxton. Col. Hunter hurried away from the Sheriff's office, resolved to lay his case before the business men of Marion. He got C. R. Edrington, secretary of the Greater Marion Association, and informed the latter that the Sheriff had absolutely balked at swearing in deputies or making a request for troops.

The Colonel and Edrington agreed that something ought to be done immediately. They decided that the best move would be to get a committee of reputable business men, mine owners and union miners to visit the strip mine and ask the men there to suspend operations. By telephone they summoned A. B. McLaren, a

wealthy and influential business man of Marion; Ralph Mitchell, General Superintendent of the Earnest Coal Company and W. H. Rix, a union mine worker official. This conference had hardly assembled before the news was flashed about the attack on the strip mine truck near Carbondale. The five men at the conference decided to do all they could to have a larger meeting of business men in the evening.

Edrington continued for some hours to telephone to responsible people asking them to attend the contemplated evening conference. Between messages he received reports that armed men were coming into the Herrin district from far away points. The business men in touch with Edrington told him that they had this same information. Edrington and Hunter again tried to locate Sheriff Thaxton to apprise him of what the business men's committee was attempting to accomplish, and to tell him that a concerted assault on the strip mine was in prospect, but the Sheriff had gone, it was said, to investigate the shooting at Carbondale.

Raids on Stores Begun

Beginning about one o'clock and continuing for a couple of hours telephone messages were received at the offices of the Greater Marion Association relating how hardware stores had been raided in Herrin for guns and ammunition.

Alarm was immediately spread in Marion advising merchants dealing in firearms to conceal their stock. Two places in Marion did not get this warning and were raided. One small band of would-be looters, called upon Edrington as head of the local American Legion Post, to deliver to them several rifles belonging to members of the Post. Edrington re-

fused, explaining that there was no ammunition available for the guns.

The Afternoon Battle

On Wednesday at 1:37 p. m. Col. Hunter telephoned to Adjutant-General Black reporting the attack on the truck and the looting of three stores in Herrin. Col. Hunter also told the Sheriff's office about the stores being looted and was informed by a deputy sheriff that this was the office's first word of the occurrence.

In the meantime the organized armed force of union miners, following the meeting in the cemetery near Herrin, had moved a couple of miles east and was ready to launch the attack on the strip mine. Attackers deployed over a front several hundred yards long and put the mine under heavy fire at about 3:00 o'clock. At 3:15 Supt. McDowell called the Greater Marion Association's office and informed Col. Hunter that a battle was on in full swing and that five hundred shots had been fired by both sides. McDowell said that the miners had marched up close to the mine and had gone under cover. McDowell requested Col. Hunter to inform the Sheriff of the battle. At the Sheriff's office Deputy Storm reported the Sheriff still absent.

"I instructed Storm to call on all available deputies and proceed to the mine to disperse the mob and to remain there until the Sheriff returned," says Col. Hunter, who added that he asked Storm to get the Sheriff by telephone and tell him that he ought by all means to put in a request for troops. Storm's reply was that they "could handle the situation."

Adjutant-General Black was told of the latest situation by telephone and his advice to Hunter was to "see that the Sheriff gets on the job." Hunter got the

Sheriff's office on the wire again and was informed by whoever answered the telephone that Deputy Storm was enroute with deputies to the mine. That Storm or deputies went to the mine is unverified. A few minutes later Supt. McDowell called from the mine to tell Col. Hunter that the mob had gotten bigger and to inquire if Sheriff Thaxton had been located. Hunter told McDowell that he had been informed by the Sheriff's office that the deputies were on the way to the mine.

A Survivor's Story

Engineman Tracy, in his account of how he saw the Wednesday afternoon battle start, gives his opinion that the shots fired at his locomotive, at that time quite a distance from the mine, were the opening ones of the attack. Hardly had he reached camp before bullets began to rain in from a house and from nearby clumps of trees and embankments. McDowell grabbed a gun and gave Tracy one. He mounted a ridge and began shooting.

Under oath, Bernard Jones, a mine guard, says he saw union scouts in the woods June 20th, and that the following afternoon bullets began to whip up the earth near him. He and three companions mounted an elevation and made the attackers retreat to a white farm house five hundred yards distant.

At 3:50 p. m. Assistant Mine Superintendent John E. Shoemaker, brother-in-law to W. J. Lester, telephoned that fire from the defenders had struck down at least two union miners in the attacking party. McDowell took the telephone again and inquired if the Sheriff had been found and had made a request for troops. All Hunter could tell McDowell was that he was still trying to locate the Sheriff.

At 4:14 p. m., when Col. Hunter got McDowell on the wire and found the battle was still raging and no sheriff and no deputies could be found to intervene, McDowell put his case in Hunter's hands and asked for advice. Immediately Col. Hunter suggested that a truce be effected and outlined terms. McDowell agreed and Hunter told him that he would act at once.

The Truce

While Col. Hunter was trying to locate union mine workers' officials relative to the truce, he got word from Mr. McLaren and C. F. Hamilton, business partner of Lester, that they had told Lester that the mine was under heavy fire and he said he would close it, and that he would try to get a telephone message through to McDowell to this effect. McDowell's agreement to accept a truce was put before Fox Hughes, Sub-District Vice-President and ranking U. M. W. of A. official on the spot. Hunter asked Hughes if he thought he could get the attacking party to agree to a truce on the terms as outlined to McDowell and Hughes replied that he thought this arrangement would be agreeable to the union miners who were attacking.

"I told Hughes I would instruct McDowell to put up a white flag of truce when he saw the union miner officials approaching under their white flag of truce," Col. Hunter says. The Colonel then asserts that Hughes told him that he (Hughes) and Hugh Willis and William G. Davis (the latter secretary and treasurer of the miners' union)—these are three of the best known and most prominent U. M. W. of A. officials in Williamson County—would go to the mine under their white flag of truce.

Hunter immediately advised McDowell

that the U. M. W. of A. officials had agreed to the truce and were headed for the mine. He then got Hughes on the wire again and told the latter of what he had just telephoned to McDowell. Hugh Willis and Davis soon thereafter appeared at the mine under their flag of truce and the firing stopped, they later reported to Hunter. McDowell telephoned to Hunter that the flags of truce were flying and that gun-fire had ceased.

A short time later, Hughes and Willis reached the office of State's Attorney Duty at Marion, and called Hunter and his Aide, Major R. W. Davis, to Duty's office. Sheriff Thaxton was there. "Hughes and Willis announced to the meeting that both sides at the mines had flags up and there was no firing," says Colonel Hunter.

The White Flag

Engineman Tracy's version of how the truce was established and firing brought to an end late Wednesday afternoon is substantially as follows: he stayed on the elevated point using his rifle until Superintendent McDowell went up to him and said to him, "The Union President is there and I am going to have a conference to stop the firing." Tracy did cease shooting and says that "A. P. Finley, the time keeper, got out a white sheet and sent it by a man named Jones to Tracy, who hung it up on the wires." Tracy estimates he was shot at about fifty times while he was hanging the sheet up, but that this firing died away and he crawled down and out of danger.

Tracy makes this peculiar comment, "then it developed the miners' president had not appeared after all," and he adds that there was sniping all through the night. He said he could hear the attack-

ers drilling in the field surrounding the mine and that the commands "squads right" and "squads left" came clearly to his ears.

The Terms

At the Wednesday evening meeting in State's Attorney Duty's office, where Col. Hunter and Maj. Davis went in response to a telephone call from Fox Hughes and Hugh Willis, Sheriff Thaxton also being present, Col. Hunter says he repeated the statement that responsible business men of Marion who had talked over long distance telephone to the owner of the strip mine, had given him (Col. Hunter) positive and reliable assurance that the mine would be abandoned and closed so long as the U. M. W. of A. strike lasted. The Colonel asserts that there was a clear understanding of all the terms of the truce, which both sides had accepted. The Colonel says these terms were understood by everybody at this meeting to be as follows:

(1) Both sides to hoist flags of truce and cease firing.

(2) The men in the strip mine to be afforded protection in getting out of the County and that the mine property be not damaged.

(3) The mine to be closed for the duration of the U. M. W. of A. strike.

Hughes and Willis left the conference. Turning to Sheriff Thaxton, Col. Hunter asked him point blank if he felt sure he could hold up his end of the truce agreement and the Sheriff then stated that he had "deputies at the mine who could handle the situation, and that he felt certain the truce would be observed and the trouble ended."

Refuse to Call Troops

Despite this assurance given by the Sheriff, Col. Hunter was uneasy during the evening. He found that the telephone wires at the mine had been cut and dynamite blasts were heard from the direction of the mine. He urged the Sheriff, as a matter of protecting the prisoners on march from the mine in the morning, to make an official request for troops. The Sheriff refused. Col. Hunter then asked the Sheriff to go to the mine with him and personally see to it that the truce was lived up to. The Sheriff also declined to do this, saying he was tired and was going home and to bed. This was nearing 11:00 o'clock.

During the conference, when the U. M. W. of A. officials were present, an agreement was reached that all of those then in the room should go to the mine in the morning. Col. Hunter suggested that the hour of departure be at 5 or 6 o'clock. Sheriff Thaxton, however, set 8 a. m. as the hour for leaving.

At 6:00 o'clock the next morning and again at 8:00 a. m., Col. Hunter and Major Davis were at the door of the Sheriff's office and found it locked. It was 8:30 o'clock before they encountered the Sheriff leisurely walking on the public square. Hughes and Willis, the U. M. W. of A. officials who had promised to be members of the Sheriff's party, were not to be found. Col. Hunter, Major Davis, the Sheriff and one of the deputies, Sheffer, started by automobile for the mine.

They arrived there at about the hour when the massacre was taking place in the woods two miles distant. They found the mine swarming with men engaged in pillage and arson and who continued the destruction of property under the very eyes of the officers and defied interruption.

The Surrender

It had been Col. Hunter's original thought that if a truce could be effected quickly enough, that the men in the mine should vacate before night fall, but it was around 6:30 o'clock before the flags were hoisted and the firing ceased. No arrangement, however, were made to afford safe escort to the men that evening.

Some of the prisoners who survived the next day's massacre, say that there was sporadic shooting during hours of darkness when the attacking miners swarmed into the big gulches dug by the steam shovels and drew a tight circle around the bunk cars and coal cars where the strip mine workers spent the night. At least five big charges of dynamite were exploded against mine machinery and property. One blast was set off within thirty feet of the bunk cars where the strip miners were housed.

Tracy's description of the surrender Thursday morning is one of the most connected that has been given. He relates that instructions were given to the men in the mine not to fire any more but that some one should be sent out from the strip mine party with a truce flag. Tracy overheard McDowell tell his assistant, John E. Shoemaker, a civil engineer, son of the Mayor of Charleston, Illinois, that there should be no shooting and the truce flag should be carried out.

A big fellow, known as "Mac," had not stepped out over 20 yards from the cars when he was fired on and he ran back, says Tracy, who continues:

"Either Mac or Jones then marched out with a cook's apron tied to a broom. I heard several of the attackers then say that if we would march out and lay down our arms they would not harm us. They

shouted they would take us on a train and let us go back home."

Prisoners Throw Up Hands

Tracy says that all rifles were laid down and shells put between cars and that all the prisoners put their hands over their heads and walked out into the open. This was in accordance with instructions given by the attacking miners and repeated by McDowell and Shoemaker, as an order to the strip miners, Tracy avers. The attackers came hurrying up from all directions, some of them firing their guns. They yelled in exultation.

"A man who acted like a leader shouted at them to quit firing at us," Tracy goes on. "He was a little heavy set fellow about forty or forty-five years old, weighed about 170 pounds, dark complected and dressed in a dark suit. He waved a big automatic pistol and yelled 'Now you ought to use judgment, there is no use getting excited or starting any trouble whatever. I am a leader of this bunch. Listen to me and we will take them down the road.'

"A mob yelled him down and some of them told him if he didn't shut up they would shoot him. They said they were going to kill the whole bunch."

The march smacked very much of military discipline, and although there were at least 3,000 men mostly armed in the crowd around the prisoners, those in charge were able to secure obedience to their orders.

Tracy describes how ill treatment of the prisoners was kept up as they marched along but the violence was not desperate except in the case of McDowell. He was made an immediate target for blows which were not long in bringing about his death.

Jones's Story

Another account of the surrender and start of the march from the mine is given under oath by Bernard Jones, the mine guard who was quoted above. Jones says of the Thursday morning events:

"The white sheet (the flag of truce on the wires) was taken down because the mob yelled 'Take that damned flag down.' We knew there would be a battle."

The prisoners felt they were in a trap and some of them were panic stricken, Jones asserts. McDowell said "Somebody ought to go talk to the attackers." Jones says that he went out with an apron tied to a broom and told the victors that the strip mine workers were ready to surrender provided they were given the assurance of being allowed to walk out unmolested. Jones says he called out, "I want to talk to you" and that a leader answered. Jones describes this leader as being 24 or 25 years old, weight 160, 5 feet 9, with sharp, freckled face, light haired and totting a rifle. This leader, Jones asserts, agreed to the proposition of letting them out unmolested provided "you come out unarmed, with your hands up in the air."

McDowell overheard this promise, says Jones, with the result that "we were all formed in line, hands up, and walked west on the railroad tracks 150 yards to where the union men were congregated. The prisoners were covered with rifles and pistols by their captors who rushed up close and searched them for weapons."

Jones estimated that there were 3,000 armed men in the crowd to which they surrendered. He said the victors began slapping the prisoners who were marched two abreast down the railway tracks. About 200 yards had been covered when the prisoners were told to take their hands down and their hats off. McDowell was

struck and kicked. When the prisoners were forced to go on a trot McDowell was unable to keep up because of his peg leg and he fell two or three times. The treatment of McDowell soon became so brutal that he could go no further.

The Murder of McDowell

Tracy describes the killing of McDowell in more detail. The procession had gotten to a place called Crenshaw Crossing and the prisoners were being beaten pretty generally when a new leader appeared, and was hailed as "Tom" or "Bill." Tracy describes him thus: "A big fellow, 50, stout, weight 190, 5 feet 10, with a week's growth of beard, rawboned, dressed roughly, wearing blue overalls and felt hat." This leader singled out McDowell and said to the latter that he had put Howat in jail in Kansas but would never put anybody else in jail.

This leader began beating McDowell over the head with a .45 caliber automatic pistol and kept it up for about 200 yards when he took McDowell out of line and knocked him down with a heavy blow on the side of the head. Tracy said he saw some six or eight women, some of them carrying babies in their arms, kick McDowell. Tracy did not see this particular leader any more. The captives were nearing the place where the ghastly job was to be done and the leaders, selected for this work, began to spread their instructions to the armed strikers, as the following versions of survivors show:

Halt to the march was called, says Jones, by "a gray haired man, weight 190 to 195, aged 45 or 50, so gray he was white, stubby mustache, in overalls, waving a .45 caliber Colt who shouted: 'I want to shoot all the * * *'"

Jones says the reply made to this gray

haired man was "We will take care of them when we get to Herrin." The march was continued about a quarter of a mile further up the road when another fellow stepped in and made a speech, Jones says, about what should be done "to us on account of his beloved union brothers being bumped off the day before or being killed." Under oath Jones declares: "The speaker said 'Boys I will show you what to do with them.'"

This speaker is described by Jones as 5 feet 9 or 10 inches, weight 190, dark hair, dark complexion, dressed in dark clothes and carrying a revolver. One young fellow in the crowd shouted to the speaker "Listen, buddy, don't rush things, don't go too fast."

To this the new leader replied: "To Hell. You don't know nothing, you have been here only a day or so, I have been here for years, I have lost my sleep 4 or 5 nights watching those scabs and I am going to see them taken care of."

But the march was continued until the procession drew very close to the power plant where a halt again was called. Jones describes how, at this point there came up from the rear a "heavy built man, dark complexion, dark haired, wearing a Fedora hat," who talked to the miners at the head of the line and asked who had operated the machine gun. This question was put to the prisoners, who said they didn't know.

Tracy remarks that it was at this point a man "who all the strip miners said was an officer of the Miners' Local appeared in an automobile, drew the mob leader aside and after talking to him pointed to the woods."

The Massacre

Tracy says this man in the automobile then drove away while the leader led the

column into the woods and commanded that "every fellow that has got a rifle come forward; you fellows that ain't got no rifles stay back." Tracy estimated that about 500 men, carrying pistols, rifles, shot guns, and all kinds of weapons followed the prisoners into the woods. The leader lined the strip miners up at a barbed wire fence and shouted "when I give the command every fellow fire."

At this order there was a rush among the armed men to get close up in front. Tracy says he could "hear the guns cock as they pulled up." Then came the order to run. Tracy ducked under the fence and fled at top speed, turning only to look back and see men fall while their pursuers reloaded and shot into them again.

Jones remembers someone saying, just before the massacre took place:

"Listen men, I want to talk to you. We can't take these men to Herrin but it will be all right to take them out into the woods and field and start them on the run and then all of you can get a shot at them."

This plan prevailed. After a while, Jones says, the order to fire came from the "leader and the rest of them, all of them." Jones heard them shout "come on you and start to run for that fence and field." It is Jones' opinion that several shots were fired before anybody started to run.

From Eye Witnesses

Two *St. Louis Globe-Democrat* reporters seated in an automobile pulled up at the edge of a road, saw the cavalcade pass. They wrote as follows: "The advanced guard rattling by in scores of flivvers had screeched the news 'We got 'em. They're

coming.' And they came, the limping mine superintendent blinking and trying to ward off further blows." Others were about as much battered.

A semi-official account of what happened after the prisoners had passed a point where the two newspaper men saw them is as follows:

The Slaughter at the Fence

The first desperate violence to the prisoners came after fresh bands of men from Zeigler and other points had joined the mob marching the prisoners toward Her-
rin.

Approaching the power plant, a young chap, about five feet seven tall, to whom recognition was given as leader, halted the prisoners and their escorts. He gave orders for the column to move to the right which would take the prisoners off the road and put them into the woods back of the power house.

At a point immediately in the rear of the power house and not more than 250 feet distant from it, the prisoners were halted about twenty feet from a four-strand barbed wire fence. The prisoners, 46 or 47 of them, were lined up as targets. The 500 armed men were arranged in two squads, forming a shallow "V" or semi-circle. This boxed the prisoners in and gave them no opportunity to get away from the gun-fire except through the barbed wire. The command was given, and the dead and wounded began to drop and a "rabbit" hunt with men as the game ensued. Many who got through the wire were killed and others wounded. Some of the wounded were mutilated after

they had been brought down to earth by bullets.

Reporter Sees Mutilated Victims

The first newspaper man to arrive on the scene, in the woods, J. E. Hendricks, of the *St. Louis Post-Dispatch* had been held up an hour in Herrin by a crowd which had told him that what was going on was the town's own business and was nothing for the newspapers. Finally he got free enough to follow a crowd streaming from Herrin to a woods on the edge of town. Arriving at the scene of the massacre, he saw several of the prisoners with throats cut and one man hanging to a tree. At another point where it appeared at least six men had been taken into a cemetery, and three killed and three wounded, their clothing showed they had been dragged over the ground, after having been tied with rope. In the far distance men could be seen running, pursued by little groups of other men, much as rabbits running from hounds.

Another account, given by a man who went unarmed with the mob, says:

"I saw one man shot with a shot gun which tore a hole in him where you could see his heart and it was shot half in two. One fellow begged me to help him. I told him if I saw anyone looking for him I wouldn't show them where he was, but that was all I could do for him. He just begged me not to shoot him. He said the other man told five of them that they would turn them loose if they could run through fire and they said they would. The other four were killed and he was shot twice, but not bad."

Stories of Slaughter

The Associated Press correspondent whose accounts of the massacre atrocities made the nation shudder with horror and caused Congressman Dennison to attempt denial on the floor of the House, underwent gun-fire and more than once risked his life to witness the concluding phases of the massacre. This man is a veteran reporter from the Chicago office of the Associated Press.

Arriving in Marion at 8 o'clock on the morning of the butchery he was rushed by automobile to the mine where he saw Col. Hunter and others making futile effort to check the work of the firebugs and looters. He was told that the strip miners had surrendered and hearing gunfire coming from the direction they had taken, he jumped back in his auto and went in pursuit of the marchers. This was just about the moment when the shooting at the barbed wire was taking place.

Some ten minutes drive from the mine, the hired chauffeur refused to go further because a crowd of armed men could be seen on a knoll near the road. The A. P. man proceeded on foot. He found several jeering six of the victims, three of whom yet exhibited signs of life. All had ropes around their necks. He heard one of the wounded men beg piteously for a drink of water. At this, he hurried to a house 100 yards distant, picked up a small pail partly filled with water and ran back toward the spot.

He was stopped by a large man of the mountaineer type who pulled a pistol from his holster and commanded "keep back there, don't come around these fellows." Others in the crowd drew pistols and menaced him. The leader was of distinctive appearance, weight about 200, age about 45, height six feet two, raw-

boned, much sunburned, light hair, a clearly American type. He wore faded blue overalls and shirt and spoke slowly, but without a Southern drawl. The brim of his black slouch hat was covered with dust, as though he had been with the marchers from the start.

Two of the three wounded men continued to plead for water. "Give me a drink before I die," said one of them. At this a comely woman of 24 years apparelled neatly in a light flowered cloth dress and carrying an infant of a year in her arms, put her foot on the body of the suppliant and exclaimed: "I'll see you in hell before you get any water."

The Man Hunt

The Associated Press correspondent was then ordered to "move along." As he neared the woodland massacre scene he saw three men jump from hiding places about 100 yards distant and run for their lives. Some 200 yards from the running men there appeared a group of pursuers who fired as they leaped forward. Ten seconds later another band began shooting at the fleeing prisoners. The Associated Press man was caught in a cross fire with bullets whizzing past him from two points. As he raced for safety he turned to see one of the three prisoners fall. What happened further to the fallen man or his companions the Associated Press man could not see.

Getting into the woods where the butchery had reached its height, the Associated Press correspondent came upon a man strung up to the stub of a broken tree limb. Lying on the ground a few feet distant were two other men, each with a rope around his neck. It did not appear they had been hanged but both were dead of bullet wounds.

The woods were swarming with men armed with pistols and shot guns. Two men carried sawed off riot guns. The Associated Press correspondent, at a point about 100 yards distant from the hanged man, stopped beside a wounded man who was writhing in agony and asking for a drink: "I wish I was dead" he muttered. A half dozen times he said this.

Pleas for Mercy Bring Kicks

Instead of exciting pity, the man's dying words seemed to make the men standing around him angrier than before. They cursed and kicked him. Apparently irritated beyond control, a man of foreign type, stockily built, about five feet seven in height, with high cheek bones, a long flowing mustache and chin that came to a sharp point opened a pocket knife and with the exclamation, "I'll make you dead" plunged the blade into the helpless prisoner's throat.

Although it was thought for a time that six of the prisoners had been cut out of line and tied together and then shot down before the procession reached the power house woods, the best account of this incident now has it that the six were stragglers who had gotten through the barb wire and were rounded up, roped together and marched through the Herrin Cemetery, then marched back out of Herrin and told to run. Gun fire brought one of them down, and he pulled the others off their feet. Their pursuers then rushed up close and fired into them at a distance of four or five feet.

One of these men, Howard Hoffman, of Huntington, Indiana, lived long enough to reach the hospital where he is credited with telling Doctor Black and the nurse that his throat was cut and men jumped on him after he was down. Another one of

these men told the doctor or nurse at the Herrin Hospital how, after he had fallen, one of the men stretched his head back as far as possible so that another might easily cut his throat. This man died without his name being learned and he was buried with the other unidentified dead in the Potters Field at Herrin.

At the Morgue

On the street in front of the morgue in Herrin, the following day, the Associated Press man, encountered the mountaineer-like man who had held him back from giving a drink to the wounded man on the knoll. Asked when the inquest would be held, the big man replied: "There don't need to be any inquest, everybody knows they're dead." The dead were first piled in a heap in a corner in the morgue. Later the clothing was removed from all the bodies and they were laid in a row and thus exposed wholly to view. Lines of men, women, boys and girls filed through the morgue and joked at the sight. Later some portions of the bodies were covered. Here and there was a body so filled with small shot that scarce a half inch square surface of the skin had escaped.

The visitors did not hesitate to gloat over the "fine" work the mob had done. One woman leading a little boy, exclaimed as she directed his attention to the lifeless bodies: "Take a look at what your papa did, kid."

Edward Miller, 1545 North Clark St., Chicago, told a *St. Louis Post-Dispatch* reporter that he and another of the strip mine men escaped wounded into a barn where they were located by man hunters who fired bullets into both of them, killing Miller's companion.

Robert McLennon, Jr., of 525 N. La

Salle St., Chicago, told the same reporter that the cool-headed miners who were escorting the prisoners were outnumbered from the start by miners who wanted to kill. The leaders counseled against violence until the woods were reached, said McLennon.

Fred Bernard of Chicago, escaped by turning left when, as he says, the leader of the mob gave the command to "turn right." He was fired upon and fell unhurt. Pursuers ran up to him. He told them he had a union card in his pocket. He finally proved he was an Elk and was given assistance in escaping.

Sherman Holman, one of the wounded survivors, declares he fell wounded along side Assistant Superintendent John E. Shoemaker and describes how pursuers came up and remarked "the * * * is still breathing, anybody got a shell?" and that Shoemaker was then shot through the head.

The Coroner's Jury

At the inquest held by Coroner McCown in Herrin on Sunday, June 25th, over the bodies of 21 victims of the massacre, no effort was made to establish the identity of any of the men who killed the unarmed prisoners. "Parties unknown" did the killing according to the verdict.

The Verdict

About twenty-five witnesses were examined by the jury and the following verdict was returned:

"In the matter of inquisition over the bodies of deceased held at Herrin, Illinois, on the 25th day of June A. D. 1922, we, the undersigned jurors, find that they came to their deaths by gun shot wounds by the hands of parties

unknown on the 22nd date of June A. D. 1922.

“We, the undersigned jurors, find from the evidence that the deaths of decedents were due to the act, direct and indirect, of the officials of the Southern Illinois Coal Company. We recommend that an investigation be conducted for the purpose of fixing the blame personally on the individuals responsible.”

The record also says that one man was burned with a hot iron; that a hot iron was used to mutilate the dead. It was also stated this was true by Editor Drobeck who described how the word “scab” was branded on Supt. McDowell’s body.

Proof of a Plot

That the massacre was the result of an organized movement is the conclusion drawn from the following statements:

It was a seemingly well organized, remarkably sober, determined, resolute aggregation of men and boys fighting, as they put it in their own words “to preserve the unions,”

is the declaration of Colonel Hunter.

Writing in the *Williamson County Miner*, the publication owned by the U. M. W. of A. men in this field, Editor Drobeck as an eye witness, says:

At daybreak the 3,000 armed citizens (surrounding the mine) realizing that the future peace of their county was at stake, formed what has been termed by many, one of the neatest columns of troops ever seen in the vicinity, worked their way into the stronghold of the outlaws and captured those that remained alive.

Several of those that were taken from the pit alive were taken to the woods near Herrin, where later they were found dead and dying. There were no riots, merely the citizens of the county acting in the only way left them for the safety of their homes. The faces of the men who were killed in the disturbance are horrible sights. Uncouth, as all crooks must be at the beginning, they were doubly unattractive as seen after justice had triumphed and the county had again resumed its normal peace-time behavior.

Editor Sims in the *Christopher Progress* says:

The whole of Williamson and Franklin counties was in turmoil until late Thursday and on Wednesday afternoon the miners in Zeigler and West Frankfort were canvassing the business districts and homes for arms and ammunition, and we doubt whether there was much of either one left in their towns after the cars had left for the scene on Wednesday evening.

We have talked to several who were near the scene of rioting and many have reported to us that no city in the community showed their colors so much as the city of Zeigler which is located in Franklin County. At least three hundred strong men journeyed in cars from Zeigler on Wednesday evening and almost every car was loaded with men, guns and ammunition.

More than a month after the massacre scarcely a visible effort has been made to discover or punish perpetrators of the crime. The press of the country united in condemning the ghastly outrage and demanded action but none has been taken.

State and local officials have taken the position that it would be impossible to fix the responsibility because Unionism controlled Williamson County. In the meantime the bodies of the unidentified dead have been buried in Potters Field.

Shall the assassins of innocent American citizens go unpunished?

It cannot be possible that Illinois will not take further official cognizance of these infamous acts, as the first and last tribunal of the country, our American citizenship, will demand that lawlessness, murder and massacre are not and never shall be permitted to undermine the security of not only the nation's industries, but the very lives and homes of our people.

UC SOUTHERN REGIONAL LIBRARY FACILITY



A 000 054 809 9

University of California
SOUTHERN REGIONAL LIBRARY FACILITY
Return this material to the library
from which it was borrowed.

REC'D LD-URL

LD APR 04 1989
URL APR 05 1989

Univers
South
Libr